



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/943,705	10/03/97	NAKAYAMA	T JA032445

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WM02/1002

EXAMINER

MOE, A

ART UNIT

PAPER NUMBER

2612

DATE MAILED:

10/02/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/943,705**

Applicant(s)  
**Tadashi Nakayama et al**

Examiner  
**Aung S. Moe**

Art Unit  
**2612**



**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Aug 6, 2001
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Election/Restriction***

1. Applicants' election with traverse of Group I, Claims 1-14 in Paper No. 9 is acknowledged. The traversal is on the ground(s) that "if the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions".

This is found persuasive and the restriction requirement as to the claims 1-14 and 15-30 as set forth in Paper No. 8 is hereby **withdrawn**.

### ***Specification***

2. The abstract of the disclosure is objected to because of the following informalities:

In line 2 of the Abstract, please delete the word "for example,". Correction is required. See MPEP § 608.01(b).

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***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Pont et al. (U.S. 6,014,170).

Regarding claim 1, Pont '170 discloses an information processing apparatus (Fig. 1) that is electronically connectable to electronic equipment (i.e., Figs. 1 & 3), the apparatus executing a predetermined process (Figs. 6, 8 & 11) for main image data, sub image data and sound data stored in said electronic equipment (Figs. 4 & 5), the apparatus comprising:

input means for inputting information from the electronic equipment (col. 3, lines 3+), the information including first information relating to types of said data stored in said electronic equipment, and second information that identifies inter-relationship among said data (Fig. 5, col. 4, lines 35+ and col. 5, lines 5+);

correlation means for correlating said first information into units based on said second information (Figs. 2, 4 & 8, the element 20; col. 3, lines 30+ and col. 4, lines 45+);

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display information generation means (i.e., Figs. 1 & 7, the elements 2 & 95) for generating display information from the correlated first information which are correlated by said correlating means; and

output means for outputting the display information generated by said display information generation means for display (Figs. 2, 7 and 8; col. 3, lines 25+ and col. 9, lines 25+), lines on a display device (2/95).

Regarding claim 2, Pont '170 discloses wherein said electronic equipment is an electronic camera (Fig. 3) that stores recording units that include at least one of the main image data, the sub image data and the sound data (Fig. 4), each of the data that is in the same recording unit having the same second information (Fig. 5, col. 4, lines 45+).

Regarding claim 3, Pont '170 discloses wherein said display information is generated for each said recording unit and comprises at least one first icon whose display format is changed based on the existence of each of the main image data, the sub image data and the sound data included in said recording unit (i.e., Fig. 7; col. 5, lines 60+ and col. 6, lines 4+).

Regarding claim 4, Pont '170 discloses wherein designating means for designating a second icon which is displayed on said display device (Fig. 7, col. 7, lines 5+); and

reading means for reading data from said electronic equipment corresponding to the data associated with the second icon when the second icon is designated by said designation means (Figs. 2 & 11; col. 8, lines 45+).

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Regarding claim 5, Pont '170 discloses wherein said second icon contains a thumbnail image of the main image data associated with the second icon (Fig. 7, col. 5, lines 55 and col. 8, lines 49+), the thumbnail image being a reduction of said main image data by a predetermined ratio (see Figs. 7 and 9).

Regarding claim 6, Pont '170 discloses designation means for designating one of the recording units and for designating one or more type of data to be deleted from the designated recording unit and deletion means (Fig. 7, col. 6, lines 64+) for deleting the designated data from the designated recording unit (col. 7, lines 10+).

Regarding claim 7, Pont '170 discloses designating means for designating one of the recording units and the designating one or more types of data to be read from the designated recording unit: and recording means for reading the designated data from the designated recording unit into the information processing apparatus (Figs. 7, 8 & 11; col. 7, lines 5+).

Regarding claim 8, it is noted that claim 8 substantially recited the same limitations as claims 1-7 as discussed above except for the use of an interface and such limitation is clearly disclosed by Pont '170 (see Fig. 2, the element 24 of Pont '170 ).

Regarding claim 9, it is noted that the method claim 9 correspond to the claims 1-7, thus, claim 9 is analyzed as previously discussed with respect to claims 1-7 as set forth above.

Regarding claim 10-14, it is noted that claims 10-14 substantially correspond to the claims 1-7 except for the use of a recording medium that stores a control program and such limitation is

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disclosed by Pont '170 (see Fig. 2; noted that the computer 1 contains a recording medium that stores a control program as claimed).

Regarding claims 15-30, please see the Examiner's comment with respect to claims 1-14 as set forth above.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure.

Matsumoto '428, Yogeshwar '232, Kuba '072, Dwyer '457, Hirayama '046, Anderson '488, Anderson '575, Itoh '122, Suzuki '579, Fukuoka '277 and Ejima '386 show an information processing apparatus that is electronically connectable to electronic equipment, the apparatus executing a predetermined process for main image data, sub image data, and sound data stored in said electronic equipment thereof.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Aung S. Moe** whose telephone number is **(703) 306-3021**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reach on (703) 305-4929.

**Any response to this action should be mailed to:**

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Commissioner of Patents and Trademarks  
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**or faxed to:**

**(703) 872-9314**, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to  
the customer service number **(703) 306-0377**.

A. Moe

September 28, 2001

  
**AUNG S. MOE**  
**PATENT EXAMINER**